

PHILLIP A. TALBERT  
Acting United States Attorney  
SAM STEFANKI  
Assistant United States Attorney  
501 I Street, Suite 10-100  
Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
GABRIEL DIOP,  
  
Defendant.

CASE NO. 2:21-CR-00106-WBS  
  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER  
  
DATE: December 6, 2021  
TIME: 9:00 a.m.  
COURT: Hon. William B. Shubb

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and the defendant, by and through his counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on December 6, 2021. ECF No. 24.
2. By this stipulation, the defendant now moves to continue the status conference until February 7, 2022 at 9:00 a.m., and to exclude time between December 6, 2021, and February 7, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes more than 20,000 pages of discovery, images, and video files. Approximately 7,000 pages of this discovery has been produced directly to counsel and the remainder has been made available for inspection and copying.

b) Counsel for the defendant desires additional time to consult with her client, review the charges, conduct investigation and research related to the charges, review and copy discovery, discuss potential resolutions, prepare pretrial motions, and otherwise prepare for trial.

c) Counsel for the defendant believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of December 6, 2021, to February 7, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at the defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: November 11, 2021

PHILLIP A. TALBERT  
Acting United States Attorney

/s/ SAM STEFANKI  
SAM STEFANKI  
Assistant United States Attorney

Dated: November 11, 2021

/s/ JENNIFER MOUZIS  
JENNIFER MOUZIS  
Counsel for Defendant  
GABRIEL DIOP

**FINDINGS AND ORDER**

IT IS SO FOUND AND ORDERED.

Dated: November 15, 2021



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE